

12-19-2003

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Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)

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U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies): **12-19-03**  
**M.A. Gedney Company**  
**2100 Stoughton Avenue**  
**Chaska, MN 55318**

☐ Individual ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation-State - **Minnesota**  
☐ Other \_\_\_\_\_

Additional name of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☐ Assignment ☐ Merger  
☒ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: **October 15, 2003**

2. Name and address of receiving party(ies)

Name: **U.S. Bank National Association**  
Internal \_\_\_\_\_  
Address: **800 Nicollet Mall, BC-MN-H22A**  
Street Address: \_\_\_\_\_  
City: **Minneapolis** State: **MN** Zip: **55402**

☐ Individual(s) citizenship  
☒ Association **National Bank**  
☐ General Partnership  
☐ Limited Partnership  
☐ Corporation  
☐ Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No **N/A**

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)  
**NONE**

B. Trademark Registration No.(s)

**SEE EXHIBIT A ATTACHED HERETO**

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: **Todd D. Lee, Esq.**

Internal Address: **Briggs and Morgan, P.A.**

Street Address: **2200 IDS Center**

City: **Minneapolis** State: **MN** Zip: **55402**

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41) ..... **\$280.00**

☒ Enclosed

☒ Authorized to be charged to deposit account  
(for deficiency only)

8. Deposit account number:

**02-3732**

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

**Briggs and Morgan, P.A.**  
By: **Todd D. Lee, Esq.**

Name of Person Signing

Signature

**December 18, 2003**

Date

Refund Ref:  
12/22/2003 **LMELLER 0000132951**

Total number of pages including cover sheet, attachments, and documents: **4**

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

CHECK Refund Total: **\$90.00**

1577320v1

**TRADEMARK**  
**REEL: 002882 FRAME: 0306**

**EXHIBIT A**  
(Continuation of Item 4)

TRADEMARKS

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>	<u>Country</u>	<u>Description</u>
HOT ENUF MEDIUM	2,133,063	January 27, 1998	USA	Processed foods, namely, salsa
GERALDO'S	2,082,860	July 29, 1997	USA	(Int. Cl. 29) Snack food dips and spreads, namely, guacamole (Int. Cl. 30) Snack food dips and spreads, namely, salsa
GERALDO'S	2,082,858	July 29, 1997	USA	(Int. Cl. 29) Snack food dips and spreads, namely, guacamole (Int. Cl. 30) Snack food dips and spreads, namely, salsa
GEDNEY	57,000	October 30, 1906	USA	Pickles, pickled onions, catsup, olives, chow-chow, mustard, pepper-sauce, chilli-sauce and vinegar
CRICKLES	924777	November 30, 1971	USA	Class 28: Pickles
SUGARLOAF	897936	September 1, 1970	USA	Class 29: Pickles
FANCY CONDIMENTS	1818070	January 25, 1994	USA	Class 30: Condiments, namely, sweet pepper relish, mustard pickle, onion relish, green tomato piccalilli and ham glaze

NOTICE  
OF  
GRANT OF SECURITY INTEREST  
IN  
TRADEMARKS

TO: United States Patent and Trademark Office

Ladies and Gentlemen:

Please be advised that pursuant to the Amended and Restated Credit and Security Agreement dated as of October 15, 2003 (as the same may be amended, modified, extended or restated from time to time, the "Credit Agreement") from M.A. GEDNEY COMPANY, a Minnesota corporation (the "Debtor") in favor of U.S. BANK NATIONAL ASSOCIATION, a national banking association (the "Lender"), and pursuant to the Patent and Trademark Collateral Assignment and Security Agreement dated as of August 31, 2000 executed by Debtor in favor of Lender (the "Collateral Assignment"), the Debtor has granted to the Lender a continuing security interest in and continuing lien upon, the trademarks shown below:

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>	<u>Country</u>	<u>Description</u>
HOT ENUF MEDIUM	2,133,063	January 27, 1998	USA	Processed foods, namely, salsa
GERALDO'S	2,082,860	July 29, 1997	USA	(Int. Cl. 29) Snack food dips and spreads, namely, guacamole (Int. Cl. 30) Snack food dips and spreads, namely, salsa
GERALDO'S	2,082,858	July 29, 1997	USA	(Int. Cl. 29) Snack food dips and spreads, namely, guacamole (Int. Cl. 30) Snack food dips and spreads, namely, salsa
GEDNEY	57,000	October 30, 1906	USA	Pickles, pickled onions, catsup, olives, chow-chow, mustard, pepper-sauce, chilli-sauce and vinegar
CRICKLES	924777	November 30, 1971	USA	Class 28: Pickles
SUGARLOAF	897936	September 1, 1970	USA	Class 29: Pickles
FANCY CONDIMENTS	1818070	January 25, 1994	USA	Class 30: Condiments, namely, sweet pepper

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>	<u>Country</u>	<u>Description</u>
				relish, mustard pickle, onion relish, green tomato piccalilli and ham glaze

The Debtor and the Lender hereby acknowledge and agree that the security interest in the foregoing trademarks (a) may only be terminated in accordance with the terms of the Credit Agreement and (b) is not to be construed as an assignment of any of the foregoing trademarks.

Very truly yours,

M.A. GEDNEY COMPANY  
a Minnesota corporation

By Charles D. Weil  
Its President & CEO

Acknowledged and accepted:

U.S. BANK NATIONAL ASSOCIATION,  
a national banking association

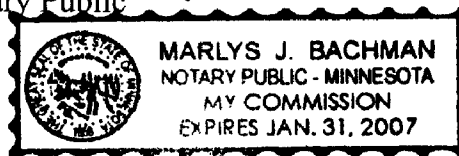
By Jennifer C. Pavlatos  
Its Vice President

STATE OF MINNESOTA )  
: SS.  
COUNTY OF Carver )

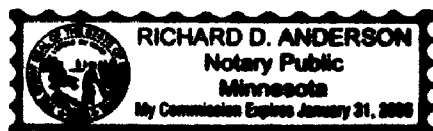
The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of Dec., 2003, by Charles D. Weil, the President & CEO of M.A. GEDNEY COMPANY, a Minnesota corporation, on behalf of said corporation.

Marlys J. Bachman  
Notary Public

STATE OF MINNESOTA )  
: SS.  
COUNTY OF HENNEPIN )



The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of December, 2003, by Jennifer C. Pavlatos, the Vice President of U.S. BANK NATIONAL ASSOCIATION, a national banking association, on behalf of said association.



Richard D. Anderson  
Notary Public